

REMARKS

A. Status of the Claims

Claims 1, 2 and 5-14 are pending. Claims 9, 10, 11, 12 and 14 are amended.

Claims 1-2, 5-8 and 13 are cancelled without prejudice or disclaimer.

The Office Action objected to claim 9 as being dependent on a rejected base claim but otherwise allowable if rewritten into independent form. Claim 9 is amended to be rewritten into independent form, incorporating limitations from cancelled claim 8, on which it previously depended. The objection is therefore respectfully requested to be withdrawn, and claim 9 is submitted to be in condition for allowance. Claims 10-12, which previously depended on cancelled claim 8, are amended by this paper to depend on claim 9. Thus, for at least similar reasons as discussed with respect to amended claim 9, claims 10, 11 and 12 are respectfully submitted to be in condition for allowance.

No new matter is added by these amendments, and their entry is respectfully requested.

Because claims 1-2, 5-8 and 13 are cancelled by this paper, then the Office Action's rejection of these claims is moot.

B. Rejection Under 35 U.S.C. § 103

Claim 14 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 7,061,530 to Koyama in view of U.S. Patent No. 6,897,699 to Nguyen. Specifically, the Office Action rejected claim 14 because claim 14 is a "method[] that correspond[s] to . . . claim 8 . . . and therefore [is] rejected on the same grounds but directed to a method." (Office Action, p. 6). Applicant respectfully traverses the rejection. Nevertheless, in an effort to expedite prosecution, by this paper, claim 14 is amended to incorporate similar

Serial No. 10/713,402

In reply to Office Action dated December 12, 2008

limitations recited in amended claim 9, which the Office Action objected to as dependent on a rejected base claim but otherwise allowable if rewritten into independent form. Thus, for at least similar reasons discussed above with respect to Applicant's amended claim 9, claim 14 is respectfully submitted to be in condition for allowance.

Applicant has not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims, from which they respectively depend either directly or indirectly, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Serial No. 10/713,402

In reply to Office Action dated December 12, 2008

CONCLUSION

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

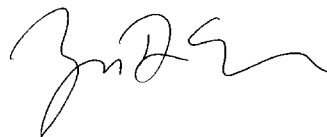
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **504827**, Order No. **1232-5207**. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No **504827**, Order No. **1232-5207**. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
LOCKE LORD BISSELL & LIDDELL, L.L.P.

Dated: March 12, 2009

By:



Zachary Silbersher
Registration No. 62,090

Address:

LOCKE LORD BISSELL & LIDDELL, L.L.P.
3 World Financial Center
New York, NY 10281-2101
Tel: (212) 415-8600